

PATRICK D. ROBBINS (CABN 152288)  
Acting United States Attorney

MARTHA BOERSCH (CABN 126569)  
Chief, Criminal Division

ANDREW PAULSON (CABN 267095)  
SAILAJA M. PAIDIPATY (NYBN 5160007)  
Assistant United States Attorneys

1301 Clay Street, Suite 340S  
Oakland, California 94612  
Telephone: (510) 637-3680  
FAX: (510) 637-3724  
andrew.paulson@usdoj.gov  
sailaja.paidipaty@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 4:23-cr-00110-YGR
	)	
Plaintiff,	)	UNITED STATES' WITNESS LIST
	)	
v.	)	
	)	
DARRELL WAYNE SMITH,	)	
a/k/a "Dirty Dick Smith"	)	
	)	
Defendant.	)	

The United States respectfully submits the following list of witnesses it may call at a trial of this matter, along with a brief summary of their anticipated testimony on direct examination. Only the first names of current and former BOP inmates have been used to protect their privacy and ensure their safety. The government has informed the defense of the full names of these witnesses. Leave is respectfully requested to amend this list as circumstances may change. Pursuant to the Court's Trial Scheduling Order, witnesses marked with "\*" are witnesses that the government is likely to call in its

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case in chief.

DATED: February 21, 2025

Respectfully submitted,

PATRICK D. ROBBINS  
Acting United States Attorney

/s/ Andrew Paulson  
ANDREW PAULSON  
SAILAJA M. PAIDIPATY  
Assistant United States Attorneys

WITNESS NAME	SUMMARY OF DIRECT EXAMINATION
Joshua Brown, Special Agent, BOP Office of Internal Affairs*	SA Brown will testify regarding the organization and chain of command at FCI Dublin, and the role and duties of correctional officers and correctional counselors. He will also testify regarding the authority that all correctional officers have over inmates at BOP prisons, including FCI Dublin, and the rules correctional officers must follow while on duty.
Dr. Maegan Malespini*	Dr. Malespini will testify regarding the contents of BOP's Prison Rape Elimination Act and Ethics trainings that Smith received at FCI Dublin. She will also testify regarding certain training records for Smith.
Shayla*  (Victim referenced in Counts 1-6)	Shayla will testify that Smith harassed her on multiple occasions, including making sexual comments to her and asking her to flash him. She will also testify that on multiple occasions, Smith entered her cell and touched her buttocks, inner thigh, and groin. She will also testify that on one occasion, Smith entered her cell, pinned her against the wall, and digitally penetrated her anus.
Yadira*	Yadira will testify that she was cellmates with Shayla and that Smith repeatedly entered their cell while they were inside. She will testify that on one occasion she returned from the shower and found Shayla sitting on the floor in the cell crying, and that Shayla subsequently told Yadira that Smith had come into the cell, pinned her against the wall, and fingered her.
Nicole*	Nicole will testify that she was cellmates with Shayla and that Smith harassed Shayla. She will also testify that Shayla told her that Smith attempted to assault her in his office.
Anastasiya*	Anastasiya will testify that she was cellmates with Shayla and that Smith frequently came to the cell and spoke with Shayla. She will also testify that Smith tried to get Shayla to flash her breasts at him, and that Shayla told Anastasiya that Smith tried to touch her. Anastasiya will also testify that she saw Smith force another inmate to flash her breasts at him in return for Smith opening the hot water room in the unit.
Celia*	Celia will testify that she was cellmates with Shayla and that she saw Smith harassing Shayla. She will also testify that on one occasion she witnessed Smith engaging in sexual conduct with Shayla inside the officer's station. Additionally, Celia will testify that Smith touched her on two occasions, once in the officer's station when he grabbed her breasts and another time in her cell when she awoke to Smith touching her breasts and body.
Valarie*	Valarie will testify that Smith entered her cell and those of other inmates, and that on at least one occasion, Smith asked to see Valarie's feet and toes. She will also testify that one night she saw Smith engaging in sexual conduct with Shayla in the officer's station.

1 2 3 4	Lea*  (Victim referenced in Counts 7-9)	Lea will testify that Smith made sexual comments to her and eventually started entering her cell and touching her. She will testify that on one occasion, Smith followed her to her cell and digitally penetrated her vagina. She will further testify that on two other occasions, Smith digitally penetrated her vagina in the laundry room.
5 6 7	Manuela*	Manuela will testify that Smith sexually harassed her, and that her cellmate flashed Smith her breasts on multiple occasions. Manuela will also discuss surveillance video showing Smith entering her cell while she was inside. On that occasion, she will testify that Smith made sexual comments to her while he was inside her cell.
8 9 10 11 12 13 14	Claudia*  (Victim referenced in Counts 10-13)	Claudia will testify that on multiple occasions Smith withheld and/or destroyed her mail and threatened to not let her contact her family, and that several times Smith locked Claudia and other inmates in a cell and forced them to flash him before he agreed to unlock the cell. She will further testify that Smith looked at her while she showered on several occasions. Additionally, Claudia will testify that Smith offered to give her a cellphone so she could call her children in return for letting him engage in sexual conduct with her. She will testify that on two occasions in the laundry room, Smith touched her breasts and buttocks, and that on another he instructed her to put on lingerie and then digitally penetrated her vagina while he masturbated. Claudia will further testify that on another occasion in the janitor's closet, Smith had vaginal intercourse with her.
15 16 17 18 19	Lisa*  (Victim referenced in Count 14)	Lisa will testify that she served as a lookout on two occasions while Smith was abusing Claudia, and that after one of these occasions in the janitor's closet, Claudia told Lisa that Smith had sex with her. Lisa will further testify that Smith ripped up her mail in front of her. Lisa will also testify that Lea told her that Smith had digitally penetrated her. Additionally, Lisa will testify that on several occasions, Smith locked her in her cell and demanded that she flash him her breasts. She will testify that on one of these occasions, Smith entered her cell and grabbed her breasts.
20 21 22 23 24	Cassandra*	Cassandra will testify that Smith made sexual comments to her and repeatedly entered her cell when she was naked after showering. She will also testify that on several occasions, Smith locked her and other inmates in their cells and demanded that they flash him. She will further testify that Smith watched her and another inmate have sex. Cassandra will also testify that Smith entered her cell on several occasions and digitally penetrated her vagina and, on one occasion, digitally penetrated her anus.
25 26 27 28	Fabiola*  (Victim referenced in Count 15)	Fabiola will testify that Smith repeatedly demanded that Fabiola flash her breasts at him, including one time when he locked her in the hot water room and did not let her out until she did so. She will also testify that on one occasion when she was alone in her cell, she awoke to Smith inside her cell touching her groin under her underwear, and that as she sat up in bed, Smith inserted his fingers into her vagina.

Dr. Michael Hoang* (former FCI Dublin psychologist)	Dr. Hoang will testify regarding a psychological evaluation he did of Fabiola after she reported Smith's abuse to officials at FCI Dublin.
Michael Bettencourt* (BOP)	Mr. Bettencourt will testify regarding the surveillance cameras at FCI Dublin.
Lincy*	Lincy will testify that Smith frequently entered inmates' cells, and that on several occasions he entered her cell and touched her. She will also testify that on one occasion when she was alone in her cell, she awoke to Smith inside her cell touching her vagina under her clothes.
Digital Forensics Examiner Michael Kan*	DFE Kan will testify regarding certain website views and searches that were found on Smith's iPad that relate to nonconsensual or unwanted anal sex, feet/toes, and the sexual assault of sleeping or unconscious women.
DOJ OIG SSA Jennifer Serino	SSA Serino will testify regarding the facts and circumstances of the investigation into Smith's sexual abuse of multiple inmates at FCI Dublin.
Torri	Torri will testify that on one occasion she saw Smith enter Shayla's cell and that he subsequently told her that he was helping Shayla with transfer paperwork.
Desire	Desire will testify that on one occasion, Smith asked Desire to draw him a portrait of Shayla.
Aron	Aron will testify that she saw Smith enter Shayla's cell multiple times. She will also testify that on one occasion, Smith entered her cell, pinned her against a wall/window, and digitally penetrated her vagina.
Naomi	Naomi will testify that Smith put his hand in her pants and tried to touch her vagina on one occasion in the laundry room. She will also testify that Smith repeatedly entered her cell and touched her, including on multiple occasions when he grabbed her breasts. She will further testify that she reported the abuse to former Warden Ray Garcia, who told her that he did not believe her.
Angelina	Angelina will testify that Smith made sexual comments to her, entered her cell, and on one occasion asked her to give him oral sex while he started to unzip his pants. She will further testify that Smith instructed her to leave the shower curtain open so he could watch her in the shower, and that on at least one occasion he opened Angelina's bathrobe to look at her naked body.
Lily	Lily will testify that Smith watched her and another inmate have sex. She will also testify that Lea told her that Smith had digitally penetrated her vagina.

Kristen	Kristen will testify that Smith frequently entered inmates' cells. She will also testify that she saw Smith harass and touch Naomi. Kristen will further testify that Smith had sexual intercourse with Kristen on multiple occasions, and digitally penetrated her vagina on multiple occasions.
Katharine	Katharine will testify that while she was a prisoner at FCC Coleman in 2008, Smith caught her topless in bed with another inmate and then grabbed her breasts while he conducted a search.
BOP Custodian of Records	To the extent the parties are unable to agree on appropriate authenticity stipulations, the government may call a custodian of records from BOP to lay appropriate foundation for BOP records.